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			EXAMINER PARKER, BRANDON	
			ART UNIT 2174	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/802,131	Applicant(s) HERIGSTAD ET AL.	
	Examiner Brandon Parker	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/08/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-112 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-112 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The previous action of 02/28/2007 is being vacated.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 31 and 100 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claim 31,

Claim 31 recites "said keyboard" in the 1st line of the claim. There is insufficient antecedent basis for the limitation in the claim.

Claim 100 recites, "the new information" in the 1st line of the claim. There is insufficient antecedent basis for the limitation in the claim.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

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A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1-112 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1-39 of U.S. Patent No. 6731316. Although the conflicting claims are not identical, they are not patentably distinct from each other because of the following:

Regarding Claims:

1. portable electronic apparatus/mobile telephone, telephone/processor service(option(Claim 1, Claim 6)
2. regions are arranged on the display to *match* the pattern in which the keys are configured/display is organized in a configuration that *corresponds* to a configuration of keys (Claim 2)
3. in response/in a request (Claim 1)
4. visual indication/graphical element (Claim 1)
5. regions contain text (Claim 5)
6. regions contain text (Claim 1)
7. new information associated with the selection key is displayed (Claim 11)
8. new information that is displayed on the display is visually partitioned (Claim 12)
9. at least five regions (Claim 13)
10. display in nine regions associated with respective keys numbered one through nine (Claim 14)
11. visually delimiting (Claim 15)
12. occupy substantially all of the display (Claim 16)
13. associated exclusively with a single one of the keys in the keypad (Claim 17)
14. PDA/virtual keypad
15. PDA/touch screen
16. remote control/navigational element to switch between regions (Claim 9)
17. remote control/navigational element, joystick (Claim 9)
18. remote control/joypad (Claim 9)
19. remote control/keys in circular shape, located inside(Claim 9)
20. remote control/navigational element in circular shape(Claim 9)
21. remote control/partially in a circular shape(Claim 9)
22. keys configured in a pattern/keys vertically aligned and horizontally opposite (Claim 2)

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23. keys configured in a pattern/vertically aligned columns appearing on respective sides (Claim 2)
24. numbered keypad, pattern/1,2,3,4,5 on first vertical and 6,7,8,9,10 on second (Claim 2)
25. numbered keypad/more than one number appears (Claim 2)
26. keys configured in a pattern/an arrangement in a grid pattern (Claim 2)
27. configured in a pattern/grid pattern (Claim 2)
28. configured in a pattern/grid pattern, vertically aligned (Claim 2)
29. mobile telephone/non uniform (Claim 6)
30. mobile telephone/grid appears to the side (Claim 6)
31. PDA/Qwerty keyboard (Claim 8)
32. remote control/navigational element used to switch(Claim 9)
33. numbered keypad/consist of two keys (Claim 2)
34. numbered keypad/consist of three keys (Claim 2)
35. border visually delimiting, visual indication, visually partitioning/icons (Claim 15)
36. visually delimiting/shading differences (Claim 15)
37. portable electronic device/electronic device, display surface/display service/choice of an option, in regions/two regions (Claim 1)
38. visual indication/icons (Claim 1)
39. a border visually delimiting/shading differences (Claim 15)
40. numbered keypad (Claim 1)
41. PDA/lettered keypad (Claim 8)
42. PDA/graphics on the keys (Claim 8)
43. PDA/at least two of : numbers, letters, graphics (Claim 8)
44. PDA/virtual keypad (Claim 8)
45. PDA/touch screen (Claim 8)
46. remote control/navigational element to switch between regions (Claim 9)
47. remote control/navigational element, joystick (Claim 9)
48. remote control/joypad (Claim 9)
49. mobile telephone (Claim 6)
50. PDA (Claim 8)
51. remote control (Claim 9)
52. remote control/device configured to operate one of: television, networked computer, DVR (Claim 9)
53. display match to keys/display correspond to keys (Claim 2)
54. mobile telephone apparatus receiving information transmitted (Claim 18)
55. numbered keypad/one key in said keypad includes more than one number (Claim 18)
56. numbered keypad/key includes at least two non-sequential numbers (Claim 18)
57. graphical element/icons
58. visually partitioned/shading differences
59. portable electronic apparatus/electronic apparatus, triggers information/causes information (Claim 1)

60. visual indication/icons (Claim 1)
61. visually portioned, visually delimiting/shading differences (Claim 1, Claim 15)
62. portable electronic apparatus is a telephone/mobile telephone (Claim 6)
63. keys in the keypad are configured (Claim 2)
64. regions contain graphical information (Claim 3)
65. regions contain text (Claim 5)
66. regions contain text (Claim 5)
67. pager (Claim 7)
68. PDA (Claim 8)
69. a device configure to operate one of television, television monitor, networked computer, DVR box/remote control device (Claim 9)
70. a device configure to operate one of television, television monitor, networked computer, DVR box/remote control device (Claim 9)
71. Internet appliance (Claim 10)
72. triggering an event comprising displaying new information on the display wherein the new information is associated with the selected key on the keypad/number keypad (Claim 11)
73. new information that is displayed on the display is visually partitioned into regions that are each associated with respective ones of the keys on the keypad (Claim 12)
74. five regions (Claim 13)
75. nine regions associated with respective ones of the keys on the keypad (Claim 14)
76. a border for visually delimiting (Claim 15)
77. occupy substantially all of the display (Claim 16)
78. associated exclusively with a single one of the keys in the keypad (Claim 17)
79. PDA /virtual keypad (Claim 8)
80. numbered keypad (Claim 1)
81. PDA/lettered keypad (Claim 8)
82. two regions/in regions, action/service (Claim 18, Claim 1)
83. numbered keypad/at least two numbers (Claim 18, Claim 1)
84. graphical element/icons, visual indication/icons (Claim 18, Claim 1)
85. visually partitioned, visually delimiting/shading differences (Claim 15, Claim 1)
86. portable electronic apparatus/electronic apparatus, triggers information/causes information, holding instruction/executable steps (Claim 26)
87. visual indication/ icons (Claim 26, Claim 1)
88. visually partitioned, visually delimiting/shading differences (Claim 30, Claim 26)
89. mobile phone (Claim 31)
90. configured in a pattern, arranged on a display to match the pattern (Claim 27)
91. mobile phone/region contain graphical information (Claim 31, Claim 3)
92. mobile phone/region contain text (Claim 31, Claim 5)
93. mobile phone/region contain text (Claim 31, Claim 4)
94. portable electronic apparatus/pager (Claim 26, Claim 7, Claim 1)
95. PDA (Claim 31, Claim 8)
96. remote control (Claim 31)

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- 97. television (Claim 9, Claim 31)
- 98. portable electronic apparatus/electronic apparatus/Internet appliance (Claim 10, Claim 26)
- 99. triggers an event displaying new information (Claim 28)
- 100. new information that is displayed on the display is visually partitioned (Claim 29)
- 101. five regions/partitioned in regions (Claim 13, Claim 26)
- 102. nine regions associated with respective keys numbered one through nine/partitioned in regions wherein regions is associated with one of the keys on the numbered keypad(Claim 14, Claim 26)
- 103. a border visually delimiting (Claim 15, Claim 30)
- 104. regions occupy substantially all of the display/display is visually partitioned in regions (Claim 26)
- 105. each region associated *exclusively* with a single one of the keys (Claim 17, Claim 26)
- 106. keypad/virtual keypad (Claim 26)
- 107. keypad/numbered keypad (Claim 26)
- 108. keypad/lettered keypad (Claim 26)
- 109. portable electronic apparatus/mobile telephone apparatus (Claim 18, Claim 26)
- 110. numbered keypad/ at least two numbers (Claim 18, Claim 26)
- 111. visual indication/icons (Claim 26, Claim 1)
- 112. border visually delimiting/shading differences (Claim 30)

The difference between claims 1-39 of Patent 6731316 and the claims 1-112 in the present application 10/802131 is the aspect of further comprising the portable electronic apparatus and mobile telephone apparatus. Official notice is given that alternative operations and more efficient displays of keys and displayed regions on the portable electronic device and mobile telephone apparatus are notoriously known in the art. According to implementation requirements, it would be obvious to one skilled in the art of graphical user interface at the time of invention to improve the portable electronic apparatus, mobile telephone apparatus, and storage medium for use of the apparatuses by substituting and adding changes to the display and pattern because the present application is an obvious variation the apparatuses and does not change the scope of the invention as disclosed in Patent 6731316.

Claim Objections

Claims 39-44,46, and 49-53 are objected to because of the following informalities: The claims recite, "the electronic apparatus of claim 36". It is assumed the claims recite "the electronic apparatus of claim 37. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 25,55, 56, 83, and 110 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 25,55, 56, 83, and 110 recite "more than one number" appears on at least one key, two non-sequential numbers, and at least two numbers on at least one of the individual keys. Applicant's specifications recites keys on the keypad are numbered 1-9 on Page 5 lines 33 and 34. The applicant's specification recites "the mobile phone may contain various telephony logic for providing functionality for the mobile phone such as placing calls". However the mentioned claims fails to have support in the specification.

Claims 22 and 24 recite "first and second vertically aligned and horizontally opposite columns on either side of said display surface" and claim 23 recites, "keys bearing the numbers 1,2,3,4, and 5 appear in said first vertical column and keys bearing the numbers 6,7,8,9, and 10

appear in said second vertical column". Applicant's specification recites, "there may be fewer regions than keys in the keypad" on Page 6 line 17. However the mentioned claims fails to have support in the specification.

Claim 31 recites a "mobile telephone apparatus" wherein said keyboard includes a Qwerty keyboard". Applicant's specification recites, keypads are "associated with other varieties of characters, such as letters on page 9 lines 12 and 13. However the mentioned claims fails to have support in the specification of a Qwerty keyboard.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-16, 19-21, 26-30, 32-35, 37-38, 40-46, 49-50, 53-54, 57, 59-60, 62-68, 71-82, 84, 86, 87, 89-95, 98-109, and 111 are rejected under 35 U.S.C. 102(b) as being anticipated by Wicks et al (US Patent No. 5,796,394) (Wicks hereinafter).

With respect to claim 1,

- Wicks provides teachings of a mobile telephone apparatus (i.e. electronic apparatus), said mobile telephone apparatus (i.e. electronic apparatus) comprising (mobile telephone, Wicks Claim 1)

- a display surface for displaying information in a visually partitioned manner, said visually partitioned information being presented on said display in at least two regions; (300 Fig. 4 Drawing) a keypad containing keys, each of said keys corresponding to at most a single region of said display wherein each region is associated with at least one of the keys in the keypad (Wicks Claim 4, Claim 5), and represents a choice of an option that may be selected by selecting the associated key (i.e. pressed key) and a processor for performing an action associated with said choice of an option (“determining with the processor, the image from the plurality of images that correspond to the pressed key”, Wicks Claim 13) said action triggered by the selection of the associated key (“accepting from the keypad a signal indicating a key was pressed”, Claim 13)

Claims 37, 54, 59, 82, 86, and 109 are similar in scope to claim 1 and are therefore rejected under similar rationale.

With respect to claim 2,

- Wicks shows that a display (Fig. 4 Drawing) is organized in a configuration (i.e. arrangement) that corresponds to a configuration of the keys on the keypad (“displaying user areas and numerals on the display screen in an arrangement that corresponds with the keys on the keypad”, Wicks Claim 5)

Claim 53, 63 and 90 are similar in scope to claim 2 and are therefore rejected under similar rationale.

With respect to claim 3,

- Wicks shows that each region (i.e. bin) is associated with a service option for a service (Col. 7 lines 21-34) and selecting the selected key (i.e. pressing a key) results in a request

for the service (Col. 5 lines 41-47) Note: a service can retrieve voice messages over the handheld device, can have electronic mail and faxes delivered to the user's computer, can have a fax printed out, can copy the information to other users, can place the information in a "low priority" stack, or perform other functions.

With respect to claim 4,

- Wicks shows that each region contains a graphical element (i.e. bins) that visually represents a choice (Fig. 4 Drawing, Col. 7 lines 21-26).
- Wicks shows that the regions contain text (1 David, Drawing Fig 4)

Claim 5, 6, 64, 65,66, 91, 92, 93 are similar in scope to claim 5 therefore the claims are rejected under similar rationale.

With respect to claim 7

- Wicks shows that new information (Fig. 5 Drawing) associated with the selected key on the keypad is displayed following said triggering of an event (Col. 8 lines 37-43).

Claim 72 and 99 are similar in scope to claim 7 and are therefore rejected under similar rationale.

With respect to claim 8

- Wicks shows that new information (Fig. 5 Drawing) that is displayed on the display is visually partitioned into regions (buttons 322,326 Fig. 5 Drawing) that are each associated with respective ones of the keys on the keypad (Col 5 lines 5-10)

Claim 73 and 100 are similar in scope to claim 8 and are therefore rejected under similar rationale.

With respect to claim 9

- Wicks shows that information is displayed on said display displays in at least five regions (322, 326 Fig 5 Drawing) Note: Wicks shows 6 regions (i.e. Buttons 1, 2, 3, *, 0, #)

Claim 74 and 101 are similar in scope to claim 9 therefore the claims are rejected under similar rationale.

With respect to claim 10

- Wicks shows that information is displayed on said display displays in nine regions associated with respective keys numbered one through nine (Col. 8 lines 53-57, Fig. 4, 5 Drawing). Note: that in Box Window overlays the previous bin display of Fig 4 wherein Fig. 4 displays nine regions with keys numbered one through nine.

Claim 40, 41, 75, 80, and 102 are similar in scope to claim 10 and the claims are therefore rejected under similar rationale.

With respect to claim 11

- Wicks discloses a mobile telephone apparatus wherein each of the regions contains a border for visually delimiting the regions (Fig. 4 Drawing). Note: The borders are the oval containers that separate one bin (i.e. region) from the next bin (i.e. region).

Claim 76 and 103 are similar in scope to claim 11 and the claims are rejected under similar rationale.

With respect to claim 12,

- Wicks shows where regions occupy substantially all of the display (300/Fig 4 Drawing)

Claim 77 and 104 are similar in scope to claim 12 and the claims are therefore rejected under similar rationale.

With respect to claim 13

- Wicks shows each region is associated exclusively with a single one of the keys of a keypad (one image/region is displayed per key/region Wicks Claim 27)

Claim 78 and 105 are similar in scope to claim 13 and the claims are therefore rejected under similar rationale.

With respect to claim 14

- Wicks shows a keypad is a virtual keypad (Col 3 lines 60-65)

Claim 15, 42-46, 50, and 79 are similar in scope to claim 14 therefore the claims are rejected under similar rationale.

With respect to claim 16

- Wicks shows a navigational element (322 Down Fig. 5 Drawing) used to switch focus between displayed regions on the display surface (Col. 8 lines 58-60). Note: a single key press is also viewed as a navigational element (Col. 7 lines 63-67, Col. 8 lines 31-36, 58-61) being that the key press results into a new display (i.e. switch focus between displayed regions), (Fig. 5 Drawing).

With respect to claim 19

- Wicks shows that keys appear in a circular shape (120 Fig. 1 Drawing) and said navigational element (322 Down Fig. 5 Drawing) used to switch focus between displayed regions on the display surface (Col. 8 lines 58-60).

Claim 20, 21, and 29 and 30 are similar in scope to claim 20 and are therefore rejected for at least the same reasons.

With respect to claim 26

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- Wicks shows an arrangement of said keys in a grid pattern, said grid pattern including at least four rows of at least 3 keys each and at least three columns (120 Fig. 1 Drawing).

With respect to claim 27

- Wicks shows a grid pattern includes keys bearing the numbers 1, 2 and 3 on separate consecutive keys from left to right in a first row, keys bearing the numbers 4, 5 and 6 on separate consecutive keys from left to right in a second row appearing below said first row, keys bearing the numbers 7, 8 and 9 on separate consecutive keys from left to right in a third row appearing below said second row, and a key bearing the number 0 appearing on a fourth row of keys on the center key, said fourth row appearing below said third row (“a standard twelve key telephone keypad” Wicks Claim 5, Col. 7 lines 59-62, Fig. 4 Drawing) Note: Wicks discloses where the correspondence between the keypad and the bins is reinforced by having the bins with the same labeling on the bins as on the keypad keys (Fig. 4 Drawing) arranged in the same layout as the keypad).

Claim 28 is similar in scope to claim 27 and is therefore rejected under similar rationale.

With respect to claim 33,

- Wicks shows that a keypad consist of two keys (a standard twelve key telephone keypad Wicks Claim 5)

Claim 34 is similar in scope to claim 33 and is therefore rejected under similar rationale.

With respect to claim 35,

- Wicks shows regions are separate icons (i.e. bins 1-9) appearing on said display surface (300 Fig 4 Drawing).

Claim 38, 57, 60, 84, 87, and 111 are similar in scope to claim 35 and are therefore rejected under similar rationale.

With respect to claim 49

- Wicks discloses an electronic apparatus is a mobile phone (mobile telephone handset, Wicks Claim 1)

Claim 62 and 89 are similar in scope to claim 49 and are therefore rejected under similar rationale.

With respect to claim 67,

- Wicks discloses an electronic apparatus is a pager (paging device/pager Col 3 lines 55-58).

Claim 94 is similar in scope to claim 67 and is therefore rejected under similar rationale.

With respect to claim 68,

- Wicks discloses an electronic apparatus is a PDA, (Col 3 lines 60-65).

Claims 81, 95, and 106-109 are similar in scope to claim 68 and are therefore rejected under similar rationale.

With respect to claim 71,

- Wicks discloses an electronic apparatus is an Internet appliance (PIC, PC Col. 3 lines 55 and 56).

Claim 98 is similar in scope to claim 71 and is therefore rejected under similar rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wicks et al (US Patent No. 5,796,394) (Wicks hereinafter) in view of Roth (US Patent No. 6,137,426) (Roth hereinafter).

With respect to claim 22, in addition to claim 1, Wicks discloses a system associating keys on a keypad with a user area (Wicks Claim 4) on a standard twelve key keypad (Wicks Claim 5) but fails to explicitly show keys appear in a first and second vertically-aligned and horizontally opposite columns appearing on respective edges. However Roth discloses a keypad, typically for use with telephones, including two parallel rows of numbered keys arranged vertically (i.e. vertically aligned, horizontally opposite). Each row includes five keys (i.e. appearing on respective edges), (Col. 4 lines 25-28, Fig. 2 Drawing).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the vertically arranged keypad as taught by Roth with the standard twelve key keypad of Wicks to enhance a user's efficiency in the entry of data.

Claim 23 is similar in scope and is therefore rejected under similar rationale.

Claim 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wicks et al (US Patent No. 5,796,394) (Wicks hereinafter) in view of Roth (US Patent No. 6,137,426) (Roth hereinafter) and Yoshinobu (US Patent No. 5,592,213) (Yoshinobu hereinafter).

With respect to claim 23, in addition to claim 22, Wicks discloses a system associating keys on a keypad with a user area (Wicks Claim 4) on a standard twelve key keypad (Wicks Claim 5) but fails to explicitly show wherein the keys include keys bearing the numbers 1, 2, 3, 4, and 5 in said first vertical column and keys bearing the number 6, 7, 8, 9, and 10 appear in said second vertical column. However Roth discloses vertical columns keys numbered 1-5 on a column and 6, 7, 8, 9, and 0 on a keypad but fails to show the number 10 on a key. However, Yoshinobu discloses a keypad on an electronic device number 10 (34w0 Fig. 5 Drawing).

It would have been obvious to one skilled in the art at the time of invention to provide a vertically aligned keypad as taught by Roth and the double digit keypad as taught by Yoshinobu with the standard twelve key telephone keypad of Wicks to efficiently select keys arranged on a keypad.

Claims 25, 55, 56, 83, and 110 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wicks et al (US Patent No. 5,796,394) (Wicks hereinafter) in view of Yoshinobu (US Patent No. 5,592,213) (Yoshinobu hereinafter).

With respect to claim 25, in addition to claim 1, Wicks discloses a system, which includes a keypad having a plurality of keys wherein each key is associated with a number wherein the

keypad is a twelve key telephone keypad but fails to show more than more than one number on a key. However, Yoshinobu discloses keys wherein more than one number appears on "one key" (Fig. 5 Drawing).

It would have been obvious to a person of ordinary skill in the art at the time of invention to provide a double-digit key on a keypad as taught by Yoshinobu with the standard twelve key keypad of Wicks as a time efficient means to selecting numbers on a keypad.

Claims 55, 56, 83, and 110 are similar in scope and are therefore rejected under similar rationale.

Claims 36, 39, 58, 61, 85, 88, and 112 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wicks et al (US Patent No. 5,796,394) (Wicks hereinafter) in view of Scott (US Patent No. 5,543,818) (Scott hereinafter).

With respect to claim 36, in addition to claim 1, Wicks discloses a screen display, which have bins (i.e. regions) and selection boxes when selecting a bin (i.e. region) but fails to explicitly show a color difference or shade difference between regions on the portable electronic device and mobile telephone apparatus. However Scott discloses a cursor used to highlight (i.e. shading differences) quads (i.e. regions), (Col. 4 lines 4-41) and make visual selections (39,11 Fig. 2 Drawing).

It would have been obvious to one skilled in the art at the time of invention to provide highlighted menu selections as taught by Scott with regions in a screen display of Wicks so users can efficiently make selections on a screen display.

Claims 39, 58, 61, 85, 88, and 112 are similar in scope and are therefore rejected under similar rationale.

Claims 17, 18, 47, 48, 52, 69, 70, 96, and 97 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wicks et al (US Patent No. 5,796,394) (Wicks hereinafter) in view of Schindler et al (US Patent No. 5,675,390 Schindler hereinafter).

With respect to claim 17, in addition to claim 1, Wicks discloses an electronic apparatus which access/navigate information in an electronic communication system (Wicks Claim 1), which receives input signals from a keyboard, mouse, trackball, etc. (Col. 6 lines 59-61) but fails to explicitly show a "joystick". However, Schindler discloses handheld remote controls wherein the cursor control device is a miniature joystick (Col. 13 lines 26-35) and a gamepad (i.e. joypad) (152 Fig. 1 Drawing).

It would have been obvious to one of ordinary skill in the art to combine the joystick and gamepad (i.e. joypad) as taught by Schindler with the navigational devices of Wicks to provide a user friendly means to navigate and access information.

Claim 18, 47, and 48 are similar in scope and are therefore rejected under similar rationale.

With respect to claim 51, in addition to claim 37, Wicks discloses an electronic apparatus wherein docking connections may be provided to any additional known type of communication devices such as fax machines, pagers, television monitors, etc. (Col. 4 lines 45-48) but fails to explicitly show wherein electronic apparatus is a remote control is configured to operate at least one of a television and television set top box. However Schindler discloses a remote control

comprises a handheld sized device with standard television controls and numeric keypad (Col. 8 lines 1-12).

It would have been obvious to one skilled in the art at the time of invention to combine the television remote control as taught by Schindler with the docking connections of the electronic apparatus of Wicks to efficiently control one or more cursors or selections for display on a multipurpose computer.

Claims 52, 69, 70, 96, and 97 are similar in scope are therefore rejected under similar rationale.

Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wicks et al (US Patent No. 5,796,394) (Wicks hereinafter) in view of Moran et al (US Publication No. 20020002562 Moran hereinafter).

With respect to claim 31, in addition to claim 1, Wicks discloses a mobile telephone with a standard twelve key keypad (Claim 4) but fails to explicitly show a mobile telephone apparatus wherein the keyboard includes a Qwerty keyboard. However, Moran discloses a standard Qwerty keyboard but also be a telephone like keypad (Par. 0135 lines 1-5).

It would have been obvious to one skilled in the art at the time of invention to include Qwerty keyboard as taught by Moran with the standard mobile telephone keyboard of Wicks as a time efficient means to enter alphanumeric data.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure which relate to a determining template icons for document applications.

US Patent 5598523 discloses a method and system for displayed menu activation using a matching distinctive arrangement of keypad actuators.

US Patent 6307549 discloses a reduced keyboard disambiguating system.

US Publication 20040233239 discloses a user interface display for set-top box devices.

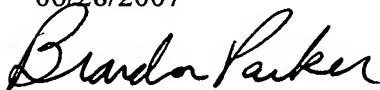
US Patent 5796394 discloses a user interface and rule processing for a personal communications routing system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon Parker whose telephone number is 571-270-1302. The examiner can normally be reached on Monday thru Friday 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-270-2302.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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